

REMARKS

Claim status

Claims 1-31 were pending in the case at the time of the current Office Action. As a result of this amendment, no claim amendments have been made. No new matter has been added.

Double Patenting rejection

The Examiner has rejected claims 1-31 under 35 U.S.C. § 101 as claiming the same invention as that of claims 1-31 of copending Application No. 10/690,459.

Since this is a provisional double patenting rejection, the Applicant wishes to notify the Examiner that the Petition for the Acceptance of an Unintentionally Delayed Claim for Priority filed February 22, 2007 was granted and mailed on August 20, 2007. Since this petition has been granted, the Applicant is expressly abandoning copending Application No. 10/690,459, which includes claims 1-31, concurrently with the submission of this response. Thus, the cancelling of conflicting claims 1-31 of copending Application No. 10/690,459 overcomes the current double patenting rejection since the claims will no longer be coextensive in scope.

In view of the above, Applicant respectfully submits that claims 1-31 are in condition for allowance. Prompt consideration of this application and allowance of these claims are requested. If the Examiner should have any questions regarding this application or this response, a call to Applicant's agent would be appreciated.

Date: _____

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